## Article 3:
# AMENDMENTS

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### Sec. 9-1.0300:
### Authority

The Development Code may be amended by changing the boundaries of any zoning district or by changing any district regulation, requirement, general provision, exception, procedure, design guideline, or any other provision as provided for in this article.

### Sec. 9-1.0305:
### Initiation

An amendment may be initiated by the owner or the authorized agent of real property. If the property for which an amendment is proposed contains more than one ownership, all of the property owners or authorized agents shall join in the initiation of an amendment. An amendment may also be initiated by a resolution of the Planning Commission or by action of the City Council in the form of a request to the Planning Commission that it consider a proposed change. Amendments shall follow the procedures as specified in this article.

### Sec. 9-1.0310:
### Application and Fees

When an amendment is initiated by a property owner or authorized agent of the owner, an application shall be filed with the Planning Department on the prescribed form and shall be accompanied by the following:

**A.** A completed Environmental Information Form describing existing environmental conditions, the proposed project and identifying potential environmental impacts of the project;

**B.** Maps, drawings, plans, tabulations and other documents required on the standard City application form to describe the project adequately;

**C.** Required fee;

### Sec. 9-1.0315:
### Planning Department Action

The Planning Department shall make an investigation of the application and shall prepare a written report which shall be transmitted to the Planning Commission and made available to the applicant(s) prior to the public hearing. The Planning Department may consult with other City departments and other public agencies in its investigation.

### Sec. 9-1.0320:
### Public Hearing

The Planing Commission shall hold at least one public hearing on the amendment application, with all hearings noticed as required by Article 4. At the public hearing, the Planning Commission shall review the application and the supporting materials, the report of the Planning Department, reports of other City departments and public agencies and shall receive evidence regarding the proposed amendment.

### Sec. 9-1.0325:
### Planning Commission Action

Within thirty (30) days after the date of the public hearing, the Planning Commission shall make a specific finding as to whether the proposed amendment is consistent with the objectives of the Development Code and the General Plan. The thirty (30) day time limit for action may be extended by mutual agreement of the applicant and City.

If the Planning Commission finds that the amendment is consistent with the objectives of the Development Code and the General Plan and promotes the public health, safety and welfare of the community, it shall transmit a written report to the City Council recommending that the application be granted. If the Planning Commission finds that the change is not consistent, the application shall be denied. A copy of the Planning Commission action shall be transmitted to the City Council and applicant.

### Sec. 9-1.0330:
### City Council Action

Upon the receipt of the Planning Commission report, the Council shall review the application and all supporting documents, including the report of the Planning Commission. The Council shall hold at least one public hearing, provided however, if the matter under consideration is a change of zoning district or change in district boundaries and the Planning Commission has recommended that the application be denied, the City Council shall not be required to hold a public hearing on the application, unless an appeal has been filed pursuant to Article 5.

When a public hearing is held in order to approve the application, the Council shall make a specific finding that the amendment application is consistent with the objectives of the Development Code and the General Plan. If the Council finds that the amendment is consistent, it may enact an ordinance amending the zoning map or an ordinance amending this chapter, whichever is appropriate. If the Council finds the change is not consistent or does not promote the public health, safety or welfare, it shall deny the application.

### Sec. 9-1.0335:
### Change of Zoning Map

A change of zoning district or in the district boundaries shall be indicated on the Zoning Map following the enactment of an ordinance amending the Zoning Map.

### Sec. 9-1.0340:
### New Applications

Following the denial by the Planning Commission or Council of an application for an amendment, no new application for the same or substantially the same change shall be filed within one (1) year after the date of denial of the application. When both the Planning Commission and City Council reject an application, the one year period shall run from the later date of denial.

**Sec. 9-1.0345:**
**Effective Date**
The approval of an amendment shall become effective upon the expiration of thirty (30) calendar days following the date upon which the approval was granted.

**Sec. 9-1.0350:**
**Prezoning of Unincorporated Territory**
The prezoning of unincorporated territory within the sphere of influence of the City may be initiated by the Planning Commission on its own motion, or by the City Council in the form of a request to the Planning Commission that it consider the prezoning, or by a petition of the owner or owners of land in the unincorporated territory proposed to be prezoned to a City zoning district or districts.

All of the provisions of this article shall apply to prezoning of property, except that the ordinance approving prezoning shall become effective at the same time annexation of the territory becomes effective.